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*Rosanne Kesson*  
Signature

September 6, 2002

**FAX MESSAGE**

**Send To:**

Name: Examiner Cheyne Ly

FAX Number: 703-746-9331

Firm: U.S.P.T.O., Art Unit 1631

Telephone Number: 703-308-3880

**From:**

Name Michael S. Tuscan, Ph.D.

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Operator Sending:

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Re: Application No. 09/917,800, Title: Molecular Toxicology Modeling  
Attorney Ref. No. 44921-5038-US

Dear Mr. Ly:

Please see attached Preliminary Amendment.

Sincerely,

*Michael S. Tuscan*  
Michael S. Tuscan, Ph.D.

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Rosanne Kesson  
Signature

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PATENT  
ATTORNEY DOCKET NO. 44921-5038-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Donna MENDRICK *et al.*

Application No.: 09/917,800

Filed: July 31, 2001

For: **Molecular Toxicology Modeling**

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) Group Art Unit: 1631  
)  
) Examiner: Cheyne Ly  
)  
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Plunkett  
9/12/02

Commissioner for Patents and Trademarks  
Washington, D.C. 20231

**PRELIMINARY AMENDMENT**

Sir:

Prior to examination, please amend this application as follows:

**IN THE CLAIMS:**

Please cancel pending claims 1-54 without prejudice or disclaimer of the claimed subject matter.

Please add new claims new claims 55-86:

55. A method of predicting at least one toxic effect of a compound, comprising:

(a) preparing a gene expression profile from a cell or tissue sample exposed to the compound; and

(b) comparing the gene expression profile to a database comprising quantitative gene expression information from a liver cell or tissue sample that has been exposed to at least one toxin.

56. A method of claim 55, wherein the toxin is selected from the group consisting of